

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JACK MANN,

Plaintiff,

Case No. 15-cv-12869

Hon. Matthew F. Leitman

v.

SCHLOTTMAN *et al.*,

Defendants.

OPINION AND ORDER DISMISSING PLAINTIFF'S COMPLAINT
(ECF #1) WITHOUT PREJUDICE

Plaintiff Jack Mann ("Mann") is an inmate currently confined at the Allenwood Federal Correctional Institution in White Deer, Pennsylvania. Mann filed his Complaint in this case on August 14, 2015 and paid neither the \$350.00 filing fee nor the additional administrative fee of \$50.00. (*See* ECF #3 at 1, Pg. ID 30.) On August 18, 2015, the assigned Magistrate Judge signed an Order of Deficiency (*id.*), which required Mann to provide the Court with (1) an application to proceed without prepayment of fees and costs and authorization to withdraw funds from his prison trust fund account, (2) a signed certification of his prison trust account from an authorized prison official, and (3) a current printout of his prison trust fund account's transaction history for the past six months by

September 17, 2015. (*See* ECF #3.) Mann also had the option to pay the filing and administrative fees. (*See id.*)

On September 14, 2015, Mann filed an Application to Proceed in District Court Without Prepaying Fees or Costs and attached a printout of his prison trust fund account's transaction history (the "Application"). (*See* ECF #5.) However, Mann did not include a written authorization to withdraw funds from his prison trust fund nor did he include a signed certification from an authorized prison official regarding the fund. (*See* ECF #7 at 2, Pg. ID 45.) On September 15, 2015, this Court granted Mann an extension to cure these deficiencies and provide the missing documents by October 15, 2015 (the "September 15 Order"). (*See id.* at 3, Pg. ID 46.)

On October 14, 2015, Mann filed a response with the Court by attaching another printout of his prison trust fund account's transaction history and a copy of the September 15 Order. (*See* ECF #9.) But, again, Mann failed to include both an authorization to withdraw funds from his prison trust fund account and a signed certification of his prison trust fund account from an authorized prison official. (*See* ECF #9.) Without a certified trust fund account statement, Mann cannot satisfy the filing requirements to proceed *in forma pauperis* under 28 U.S.C. § 1915(a)(2) and – again – has failed to cure the deficiency with his filing. *See Hart*

v. Jaukins, 99 Fed. App'x 208, 209-10 (10th Cir. 2004); *Patterson v. Mackie*, 2014 WL 1478473, at *2 (E.D. Mich. Apr. 15, 2014).

Accordingly, **IT IS HEREBY ORDERED** that Mann's Complaint (ECF #1) is **DISMISSED WITHOUT PREJUDICE**.

IT IS SO ORDERED.

s/Matthew F. Leitman

MATTHEW F. LEITMAN

UNITED STATES DISTRICT JUDGE

Dated: October 27, 2015

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on October 27, 2015, by electronic means and/or ordinary mail.

s/Keisha Jackson

Case Manager

(313) 234-5014